

**Amendments to the Drawings:**

The attached sheets of drawings include changes to **FIG. 3** and **FIG. 5**. These sheets, which include **FIG. 3** and **FIG. 5**, replace the original sheets including **FIG. 3** and **FIG. 5**. In **FIG. 3**, the use of reference numeral **232** is redundant. To clarify, reference **232**, as referring to the pivoted roller, (see published application paragraph **0027** as amended) has been changed to reference numeral **236**. In **FIG. 5**, the use of reference numeral **300** is redundant. To clarify, reference numeral **300**, referring to "Turn Mirror Off" has been changed to reference numeral **306**. See published application paragraphs **0052-0053**.

**Attachment:** Replacement Sheet for **FIG. 3**

Annotated Sheet Showing Changes for **FIG. 3**

Replacement Sheet for **FIG. 5a**

Annotated Sheet Showing Changes for **FIG. 5a**

**Remarks/Arguments**

As of the Office Action mailed April 05, 2005 claims 1-4 are pending in the application and stand rejected. Reexamination and reconsideration are respectfully requested in light of the amendments and remarks/arguments herein.

**Amendments**

In the specification, the ABSTRACT has been amended to enter some clerical corrections. Paragraph [0027] has also been amended to clarify the redundant use of reference numerals, changing reference numeral 232 as referring to the pivoted roller to reference numeral 236. Furthermore, paragraph [0037] has been amended to correct other clerical issues.

In amended FIG. 3, the reference numeral referring to the pivoted roller 232 has been amended to reference numeral 236. See amended paragraph 0027. In FIG. 5a reference numeral 300 referring to "Turn Mirror Off" has been amended and is now reference numeral 306. See paragraphs 0052-0053. The reference numeral changes have been made for clarity.

As no new matter has been entered to the specification, abstract and drawings, entry is respectfully requested.

Turning to the claims, claims 5-17 are presented to better clarify the invention. No new matter has been entered. For the convenience of the Examiner, Applicants note as follows.

Claim 5 recites a method of controlling a printer having a ready status and an on-but-not ready status and including a mirror having an operating speed. The claim recites starting a ready timer for a predetermined time interval when a predetermined control signal is entered into said printer wherein said printer is in said ready status and said mirror is at said operating speed. The claim recites that one of the following may be executed: (i) continuing said printer in said ready status until said timer reaches a predetermined time interval or (ii) changing said printer to said on-but-not-ready status when said timer reaches said predetermined time interval. The claim recites that the predetermined time interval is less than the amount of time necessary for the mirror to slow from said operating speed and then return to said operating speed. One non-limiting area of support for this claim may be found in the original disclosure and paragraphs 006, 0034, 0048-0055. For example, paragraph 0034 recites that in implementation, the "ready" time is significantly less than the sum of the time that it takes for the motorized scanning polygon mirror to coast from operating speed to full stop plus the time that it takes to accelerate from stop to operating speed..."

Applicants trust that this addresses the Examiner's comments at page 2 of the Office Action of April 5, 2005 wherein the Examiner was unclear regarding features of the mirror and its operating speed as well as the mirror slowing from said operating speed and returning to operating speed.

Dependent claim 6 is directed to the method of claim 5 wherein the ready timer is started upon the completion of any print page. One area of support for this amendment may be found in paragraph 0051.

Dependent claim 7 is directed to further comprising resetting said ready timer. One area of support for this amendment may be found in paragraph 0055.

Dependent claim 8 is directed to the control signal being entered when print data is delivered to a print engine in said printer. One area of support for this amendment may be found in paragraphs 0046 and 0047.

Independent claim 9 is directed to a system for controlling a printer having a ready status and an on-but-not ready status. The system may continue the printer in said ready status or change the printer to an on-but-not-ready status when the timer reaches said predetermined time interval wherein said predetermined time interval is less than the amount of time necessary for the mirror to slow from the operating speed to a stop and then return to the operating speed. One area of support can be found in the original disclosure at paragraphs 0006, 0034, 0048-0055. Dependent claims 10-12 scope claim 9. Support can be found in the original disclosure and at paragraphs 0046, 0047, 0051, and 0055.

Independent claim 13 is directed to a printing apparatus having a ready status and an on-but-not ready status. The apparatus is configured to continue the printer in said ready status or change the printer to an on-but-not-ready status when the timer reaches said predetermined time interval wherein said predetermined time interval is less than the amount of time necessary for the mirror to slow from the operating speed to a stop and then return to the operating speed. One area of support can be found in the original disclosure at paragraphs 0006, 0034, 0048-0055. Dependent claims 14-17 scope claim

13. Support can be found in the original disclosure at paragraphs 0046, 0046, 0051, 0052 and 0055.

Rejections Under 35 USC §112

Claims 2 and 4 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Both of these claims have been canceled and Applicants believe that the amendment renders the rejection moot. Furthermore, Applicants believe that have addressed the concerns of the Examiner when presenting now pending claims 3 and 5-17.

Rejections Under 35 USC §102/103

Claims 1-4 have been rejected under 35 USC §102 as being anticipated by Smith et al., U.S. Patent Number 6,359,642. This was the only reference cited against pending claims 1-4.

Claim 5 as noted above recites the control of a printer, wherein the printer has an on-but-not-ready status and a ready status. In the "ready status" mode the mirror is recited to be at operating speed. The printer also includes a ready timer which is started for a predetermined time period when the printer is in ready status mode. The printer may be allowed to continue in such ready status mode when the timer does not reach the predetermined time interval or may be changed to the on-but-not-ready status mode when the timer reaches the predetermined time interval. The predetermined time interval is

recited to be “less than the amount of time necessary for the mirror to slow from operating speed to a stop and then return to said operating speed.”

It is not believed that Smith et al teach or suggest the subject matter of claim 5. Applicants note that the Examiner appeared to suggest that somehow Smith et al disclosed or suggested that one might derive from Smith a predetermined time interval that somehow related to the variable of time necessary for the mirror to reach a reduced speed and return to a first speed. This is not fully understood and Applicants note as follows.<sup>1</sup>

For example, the Examiner cites to column 1, line 34-44 of Smith. This section of Smith identifies that a laser printer may go into an “idle mode” to reduce power consumption. Smith also discloses that in idle mode the mirror will typically cease to rotate.

The Examiner next cites to column 1, lines 56 where Smith discloses a warm-up mode wherein a printer in idle mode apparently receives a print command and Smith et al defines this time as the time required for warm-up plus the time required to perform printing after warm-up is complete.

In Applicants’ view the above therefore confirms that all Smith et al appear to be disclosing is a printer that has two modes: “idle mode” and a “warm-up mode.”

Presumably then, the Examiner may have next focused on what was identified by Smith et al as a second aspect to his disclosure, which was a printer that could be adapted

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<sup>1</sup> For example, upon review of the Office Action of April 5, 2005, Applicants did not see any specific citation to a section of Smith et al that supported the view that Smith et al disclosed a predetermined time interval that somehow related to the variable of time necessary for the mirror to reach a reduced speed and return to a first speed and the use of such variable in allowing a printer to either maintain a ready status or change to an on-but-not-ready status.

to remain in print mode for an extended period of time upon receiving a PRE-START signal. See Col. 5, lines 49-52. The Control Unit 11 was said to be further adapted to cause the Printer 10 to remain in a print mode for some additional length of time. See Col. 6, lines 3-5.

Smith's reference to maintaining the printer in a print mode for some additional length of time however is completely undefined and unrelated to the concept of how long to continue the printer in a ready state and when to change the printer from the ready state to some on-but-not ready state. Rather, all Smith discloses and teaches is to maintain the printer in a print mode based upon receipt of a "PRE-START SIGNAL." See Col. 6, lines 1-5. Such "PRE-START" signals are disclosed as contemplating launching the application software, retrieving a document stored in the computer, launching the print dialog box, choosing the print command option, moving towards scanner device, accessing user controls, loading pages into in-feed tray, and lifting scanner glass cover. See, column 4, lines 1-10 and column 4, line 60 to column 5, line 1.

Or, stated another way, in Applicants' view Smith certainly does not contemplate that any useful information can be derived when identifying a predetermined time interval and using such interval to control a printer wherein such predetermined time interval is less than the amount of time necessary for the mirror to slow from operating speed to a stop and then return to said operating speed. See again, claim 5.

In light of the above, Applicants respectfully submit that the claims of the application are not taught or suggested under 35 USC §102/103 by the cited reference. In

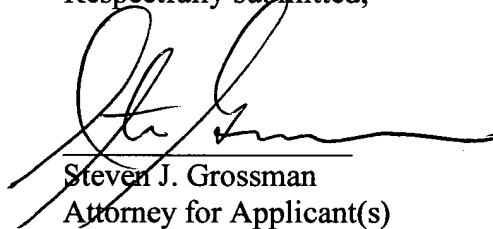
Appln. No.: 09/932,647  
Amndt. dated July 27, 2005  
Reply to Office Action of April 5, 2005

consideration of the foregoing Applicants respectfully request that the rejection of claim 3 is withdrawn upon reconsideration and that claims 3 and 5-17 are allowed.

Having overcome all of the outstanding rejections, it is respectfully submitted that the application is now in condition for allowance. Early and favorable action is respectfully solicited.

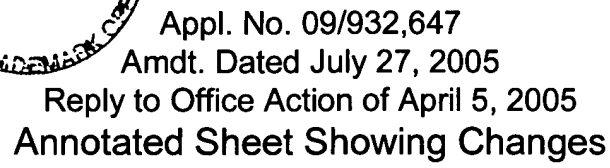
In the event that there are any fee deficiencies, or additional fees are payable, please charge, or credit any overpayment to, our Deposit Account No. 50-2121.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steven J. Grossman', is written over a horizontal line.

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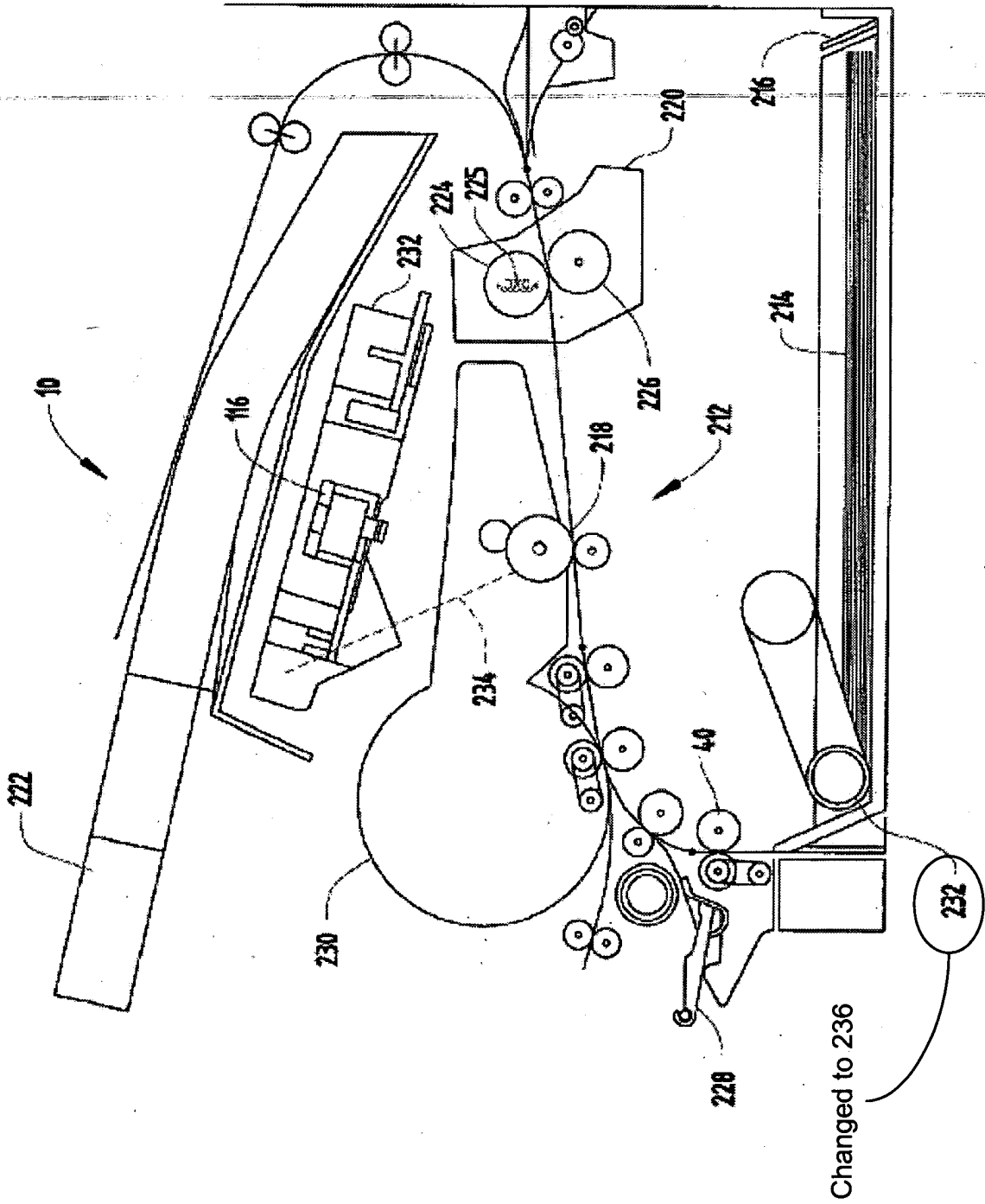


**Amdt. Dated July 27, 2005**

## Reply to Office Action of April 5, 2005

## Annotated Sheet Showing Changes

**FIG. 3**





Appl. No. 09/932,647  
Amdt. Dated July 27, 2005  
Reply to Office Action of April 5, 2005  
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**FIG. 5a**

